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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/590,068	08/21/2006	Alfred J. Smetana	CU60761	4185

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SMITHKLINE BEECHAM CORPORATION
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EXAMINER

NELSON, MATTHEW M

ART UNIT	PAPER NUMBER
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4166

NOTIFICATION DATE	DELIVERY MODE
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09/05/2008

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

US_cipkop@gsk.com

Office Action Summary	Application No. 10/590,068	Applicant(s) SMETANA ET AL.	
	Examiner Matthew M. Nelson	Art Unit 4166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 August 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>08/21/2006</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Specification

1. The abstract of the disclosure is objected to because it does not adequately disclose the invention. It is suggested to include several of the steps of the process since method claims are disclosed. Correction is required. See MPEP § 608.01(b).

Claim Objections

2. Claim 4 is objected to because of the following informalities: Claim 4 recites “adhevises” which appears to mean “adhesive”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-6 are rejected under 35 U.S.C. 102(b) as being anticipated by US Patent No. 4,664,630 to Lokken (Lokken).

In Reference to Claim 1

A method of increasing the rate by which maximum adhesivity of a denture adhesive is achieved comprising the steps of:

- (a) applying a denture adhesive to a denture (Lokken: col. 3, lines 51-53);

- (b) wetting said denture after application of the denture adhesive to the denture
(Lokken: col. 4, lines 1-4); and
- (c) inserting said denture in the mouth (Lokken: col. 4, line 5).

In Reference to Claim 2

The method of claim 1 (see rejection of claim 1 above) wherein the denture adhesive is in the form of a cream, gel, powder or liner (Lokken: col. 1, lines 7-9).

In Reference to Claim 3

A method of increasing the rate by which maximum adhesivity of a denture adhesive is achieved comprising the steps of:

- (a) wetting a denture (Lokken: col. 3, lines 50-51),
- (b) applying denture adhesive to said denture (Lokken: col. 3, lines 51-53); and
- (c) inserting said denture in the mouth (Lokken: col. 3, line 54).

In Reference to Claim 4

The method of claim 3 (see rejection of claim 3 above) wherein the denture adhesive is in the form of a cream, gel, powder or liner (Lokken: col. 1, lines 7-9).

In Reference to Claim 5

A method of increasing the rate by which maximum adhesivity of a denture adhesive is achieved comprising the steps of:

- (a) wetting a denture (Lokken: col. 3, lines 50-51);
- (b) applying denture adhesive to said denture (Lokken: col. 3, lines 51-53);

- (c) rewetting the denture after application of the denture adhesive to the denture
(Lokken: col. 4, lines 1-4); and
- (d) inserting the denture in place in the mouth (Lokken: col. 4, line 5).

In Reference to Claim 6

The method of claim 5 (see rejection of claim 5 above) wherein the denture adhesive is in the form of a cream, gel, powder or liner (Lokken: col. 1, lines 7-9).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent No. 6,080,811 to Schehlmann et al., US PG PUB No. 2002/0013384 to Muramatsu et al., and US Patent No. 2,830,370 to Rothrock disclose adhesives for dental prostheses and methods of applying the adhesive.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew M. Nelson whose telephone number is (571) 270-5898. The examiner can normally be reached on Monday-Friday 7:30am-5:00pm EDT.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Bomberg can be reached on (571) 272-4922. The fax phone

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number for the organization where this application or proceeding is assigned is 571-273-8300.

7. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MMN

September 2, 2008

/Fenn C Mathew/
Primary Examiner